

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.220 of 2017

In
Civil Writ Jurisdiction Case No.8891 of 2012

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1. The State of Bihar, through the Principal Secretary, Human Resources Development Department, Government of Bihar, New Secretariat, Patna.
 2. The Principal Secretary, Human Resources Development Department, Government of Bihar, New Secretari

... .. Petitioner/s

Versus

1. Ram Sharan Roy College, Panapur, Makkanpur, P.O. Jandaha, Vaishali, through its Principal Shri Sanjay Kumar, Son of Shri Ram Dayal Roy, Resident of Village- Makkanpur, P.O. Jandaha, P.S. Mahnar, District Vaishali.
2. Pankaj Kumar, Son of Shri Hanuman Rai, Resident of Panapur, Dedhibigahiya, P.O. Samastipur, P.S. Mahnar, District- Vaishali.
3. Baba Rao Ambedkar Bihar University, Muzaffarpur, through its Vice Chancellor.
4. The Vice Chancellor, Baba Rao Ambedkar Bihar University, Muzaffarpur.
5. The Registrar, Baba Rao Ambedkar Bihar University, Muzaffarpur.
6. The Examination Controller, Baba Rao Ambedkar Bihar University, Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghwanand, GA-11
For the B.R.A. Bihar University : Mr.Indrajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 21-12-2023 1. The present petition has been filed for review of the order dated 24.08.2012, passed in CWJC No.8891 of 2012, whereby and whereunder a co-ordinate Bench of this Court has directed that till the State Government issues order of permanent affiliation, the University shall accept the registration fees, forms and examination fees of the students and publish their results.



2. Though notices have been validly served upon the respondents no.1 and 2, herein, however, they have failed to appear before this Court.

3. Nonetheless, it is submitted by the learned counsel for the petitioners that a wrong submission was made by the then counsel, appearing for the Baba Rao Ambedkar Bihar University, Muzaffarpur, which was recorded in the aforesaid order dated 24.08.2012, to the effect that the Senate had given its approval for permanent affiliation of the College in question and the matter has been referred to the State Government for grant of permanent affiliation, however, the fact is that though the matter regarding the affiliation of the aforesaid College in question was placed in the meeting of the Senate held on 16.01.2012, however, the Senate had not approved the same. It is also submitted that no minutes of meeting of the Senate had ever been brought of record by the respondent-University to show that the Senate had approved the proposal of granting affiliation to the aforesaid College in question i.e. the respondent no.01, herein.

4. Though the aforesaid contention, raised by the petitioners herein, has not been refuted by the learned counsel appearing for the respondent no.3-University, however, it is



submitted that now the respondent no.01 i.e. the College in question has been granted affiliation by the Education Department, Government of Bihar, Patna vide notifications dated 31.08.2020 and 23.05.2022, respectively, for the Sessions 2020-23, 2021-24 and 2022-25, with regard to the subjects, mentioned in the said notifications. The said notifications have been handed over to this Court, which are taken on record.

5. Having regard to the facts and circumstances of the case and considering the aforesaid factual position, I deem it fit and proper to dispose off the present review petition, while taking note of the submissions advanced by the learned counsel for the respondent no.03-University as well as taking on record, the notifications dated 31.08.2020 and 23.05.2022, issued by the Education Department, Government of Bihar, Patna and to the aforesaid extent, the order dated 24.08.2012, passed in CWJC No.8891 of 2012 stands revised.

(Mohit Kumar Shah, J)

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